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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
LUFFEL, Robert, W., et al.)
Serial No. 09/337,802)
Filing Date: June 22, 1999)
For: APPARATUS FOR TRANSLATING A)
CARTRIDGE ACCESS DEVICE)

Examiner: Davis, D.
Group Art Unit: 2652
Conf. No.: 9485
Attorney Docket No. 10980296-1

INTERVIEW SUMMARY UNDER 37 C.F.R. §1.133

To: The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicants note the telephone interviews afforded counsel of record (hereinafter referred to as "Mr. Dahl") and the undersigned counsel (hereinafter referred to as "Mr. Trenner") on August 2, 2002 and August 6, 2002, during which was discussed certain procedural matters in the above-referenced case as well as potential amendments to put the case in condition for allowance. These telephone interviews are summarized below.

On Friday, August 2, 2002, Mr. Dahl contacted the examiner by telephone regarding the Notice of Noncompliance with 37 CFR 1.192(c) issued on July 15, 2002 in response to applicants' appeal brief. During the telephone conversation, Mr. Dahl explained that the applicants regarded the claims to be the summary of the invention. Also during that discussion, the examiner stated that he might be willing to allow the claims if applicants amended "integral with" to "a single article" or language to that effect.

Following the telephone conversation, Mr. Trenner reviewed the file and found that similar amendments were previously proposed by applicants in their Response dated December 14, 2001. On August 2, 2002, Mr. Dahl and Mr. Trenner again called the

examiner. The examiner stated that he did not have the file available and requested Mr. Trenner call him back on August 6, 2002.

On August 6, 2002, Mr. Trenner left a message for the examiner. Later that day, the examiner returned Mr. Trenner's phone call. During the telephone conversation, Mr. Trenner pointed out that amendments similar to those proposed by the examiner as being allowable had already been made by applicants in their Response dated December 14, 2001, but not entered. The examiner stated that after having reviewed the file that yet further amendments would be necessary before he would allow the case. After discussing the specific further amendments proposed by the examiner with his client, Mr. Trenner called the examiner back the same day to tell him that applicants would instead proceed with their appeal.

During the August 6, 2002 telephone conversation, Mr. Trenner also requested that the examiner withdraw the Notice of Noncompliance. The examiner stated that he would not withdraw the Notice of Noncompliance, but that if the applicants added page and figure references to the two paragraphs in the appeal brief on pages 2 and 3 under the heading "Summary Of Invention", that he would not require applicants to remove the claims from the summary and would allow the appeal brief to go forward to the Board.

Respectfully submitted,

DAHL & OSTERLOTH, L.L.P.

By:

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Date: August 7, 2002

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this INTERVIEW SUMMARY UNDER 37 C.F.R. §1.133 is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9315, on this 7th day of August 2002.


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DATE: August 7, 2002**PLEASE DELIVER THE FOLLOWING PAGES TO:**

NAME: Examiner D. Davis FAX NO: 703-872-9315

TELEPHONE: 703-308-1503

LOCATION: United States Patent and Trademark Office

RE: 09/337,802 Our Ref. HP 10980296-1

FROM: Mark D. Trenner, Esq. of DAHL & OSTERLOTH, L.L.P.

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